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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SWERDLOW, DANIEL

ART UNIT

PAPER NUMBER

2644

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8

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/986,452

Applicant(s)

HERSHKOVITS ET AL.

Examiner

Daniel Swerdlow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 5 recites the limitation "said control link" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this Office action, examiner assumes "said control link" means -- a control link--.
5. Claim 19 recites the limitation "said control trace" in line 26. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this Office action, examiner assumes "said control trace" means -- a control link--.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 through 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Wachel (US 2002/0078395 A1).

8. Claim 1 claims an apparatus for transferring electrical telephony transmissions comprising a backplane including front and rear sides. Wachel discloses a chassis system (Fig. 1; paragraph 0013, lines 1-2) that corresponds to the apparatus claimed, communicates (i.e., transfers) telephony signals (paragraph 0017, lines 14-15) and comprises a midplane (Fig. 1, reference 102; paragraph 0013, lines 3-6) that corresponds to the backplane claimed and has two sides (paragraph 0015, lines 2-5) that correspond to the front and rear sides claimed. Claim 1 further claims the backplane comprises at least first and second slots on the front and rear sides of the chassis for supporting front and rear cards, each slot including at least a first connection area and a second connection area. Wachel discloses a plurality (i.e., at least a first and second) of jacks that correspond to the slots claimed (paragraph 0013, lines 3-6) and support main cards that correspond to the front cards claimed and transition cards that correspond to the rear cards claimed, each connector having five (i.e., at least a first and a second) sets of pins (Fig. 2; paragraph 0017, lines 2-4) that correspond to the connection areas claimed. Claim 1 further claims the first connection area and the backplane configured for supporting 32 bit PCI communications therebetween. Wachel discloses a first set of pins (Fig. 2, reference 151; paragraph 0017, lines 4-5) that corresponds to the first connection area claimed, and provides signals for a 32-bit cPCI bus. Claim 1 further claims the second connection area and the first connection area and the backplane configured for supporting 64-bit PCI communications

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therebetween. Wachel discloses a second and a fifth set of pins (Fig. 2, reference 152, 155; paragraph 0017, lines 5-7, 15-17) that together correspond to the second connection area claimed, comprise a plurality of connector openings and provide signals for a 64-bit cPCI bus extension (i.e., provide 64-bit PCI communication in concert with the first set of pins that corresponds to the first connection area claimed). Claim 1 further claims the second connector area includes at least one through connector for facilitating electrical telephony transmissions between a rear card in the first slot and a front card or a rear card in the second slot along the bussed traces. Wachel discloses tip and ring connection via the fifth set of pins that corresponds to the second connector area claimed between the transition card that corresponds to the rear card claimed of one plug that corresponds to the first slot claimed and the main card that corresponds to the front card claimed of another plug that corresponds to the second slot claimed via the midplane (i.e., along bussed traces) (Fig. 4; paragraph 0020-0021). Therefore, Wachel anticipates all elements of Claim 1.

9. Claim 2 claims the apparatus of Claim 1 wherein the backplane includes a control link. As stated above apropos of Claim 1, Wachel anticipates all elements of that claim. In addition, Wachel discloses an Output Enable signal (paragraph 0023, lines 12-14) that corresponds to the control link claimed and is transmitted to a backup card via the midplane that corresponds to the backplane claimed to control the backup card. Therefore, Wachel anticipates all elements of Claim 2.

10. Claim 3 claims the apparatus of Claim 1 wherein the backplane includes a 64-bit PCI backplane. As stated above apropos of Claim 1, Wachel anticipates all elements of that claim. In addition, Wachel discloses a 32-bit cPCI bus and a 64-bit cPCI extension (paragraph 0017,

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lines 4-7) that together constitute a 64-bit PCI backplane. Therefore, Wachel anticipates all elements of Claim 3.

11. Claim 4 claims the apparatus of Claim 1 additionally comprising a plurality of front and rear cards in the respective first and second slots on the front and rear of the backplane. As stated above apropos of Claim 1, Wachel anticipates all elements of that claim. In addition, Wachel discloses main cards and transition cards (Fig. 1, reference 104a-104n, 106a-106n); paragraph 13, lines 3-6) that correspond to the front and rear cards claimed and are retained in plugs that correspond to the slots claimed on either side (i.e., front and back) of the midplane that corresponds to the backplane claimed. Therefore, Wachel anticipates all elements of Claim 4.

12. Claim 5 claims the apparatus of Claim 4 wherein a front card is in communication with a control link and is configured for controlling electrical telephony transmissions from a rear card. As stated above apropos of Claim 4, Wachel anticipates all elements of that claim. In addition, Wachel discloses a main card that corresponds to the front card claimed producing an Output Enable signal (paragraph 0023, lines 12-14) that corresponds to the control link claimed (i.e., is in communication with the control link) and causes a rerouting of (i.e., controls) tip and ring signals (i.e., electrical telephony transmissions) from a transition card that corresponds to the rear card claimed. Therefore, Wachel anticipates all elements of Claim 5.

13. Claim 6 claims the apparatus of Claim 1 wherein the backplane is configured for transporting electrical telephony transmissions. As stated above apropos of Claim 1, Wachel anticipates all elements of that claim. In addition, Wachel discloses tip and ring connection (i.e., electrical telephony transmissions) via the fifth set of pins that correspond to the second connector area claimed between the transition card that corresponds to the rear card claimed of

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one plug that corresponds to the first slot claimed and the main card that corresponds to the front card claimed of another plug that corresponds to the second slot claimed via the midplane that corresponds to the backplane claimed (Fig. 4; paragraph 0020-0021). Therefore, Wachel anticipates all elements of Claim 6.

14. Claim 7 claims the apparatus of Claim 6 wherein the electrical telephony transmissions are selected from the group comprising: T1, T3, E1, E3, J1, STS1. As stated above apropos of Claim 6, Wachel anticipates all elements of that claim. In addition, Wachel discloses use of T1 signals (paragraph 0018, lines 1-7). Therefore, Wachel anticipates all elements of Claim 7.

15. Claims 15 through 19 are essentially similar to Claims 1 through 5 respectively and are rejected for the reasons stated above apropos of those claims.

16. Claim 20 claims the apparatus of Claim 15 wherein the electrical telephony transmissions are selected from the group comprising: T1, T3, E1, E3, J1, STS1. As stated above apropos of Claim 15, Wachel anticipates all elements of that claim. In addition, Wachel discloses use of T1 signals (paragraph 0018, lines 1-7). Therefore, Wachel anticipates all elements of Claim 20.

17. Claim 8 claims an apparatus for transferring electrical telephony transmissions comprising a backplane including front and rear sides. Wachel discloses a chassis system (Fig. 1; paragraph 0013, lines 1-2) that corresponds to the apparatus claimed, communicates (i.e., transfers) telephony signals (paragraph 0017, lines 14-15) and comprises a midplane (Fig. 1, reference 102; paragraph 0013, lines 3-6) that corresponds to the backplane claimed and has two sides (paragraph 0015, lines 2-5) that correspond to the front and rear sides claimed. Claim 8 further claims the backplane comprises at least a plurality of bussed traces. Wachel discloses the

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midplane that corresponds to the backplane claimed being a circuit board (i.e., having traces) (paragraph 0013, lines 3-6) and carrying signals between cards plugged into the chassis (i.e. bussed) (paragraph 0015, lines 5-7). Claim 8 further claims the backplane comprises at least first and second slots on the front and rear sides of the chassis for supporting front and rear cards, each slot including at least a first connection area and a second connection area. Wachel discloses a plurality (i.e., at least a first and second) of jacks that correspond to the slots claimed (paragraph 0013, lines 3-6) and support main cards that correspond to the front cards claimed and transition cards that correspond to the rear cards claimed, each connector having five (i.e., at least a first and a second) sets of pins (Fig. 2; paragraph 0017, lines 2-4) that correspond to the connection areas claimed. Claim 8 further claims the first connection area comprises a plurality of first connector openings. Wachel discloses a first set of pins (Fig. 2, reference 151; paragraph 0017, lines 4-5) that corresponds to the first connection area claimed and comprises a plurality of connector openings. Claim 8 further claims the second connection area comprises a plurality of second connector openings, at least one of which provides connectivity to the bussed traces. Wachel discloses a second and a fifth set of pins (Fig. 2, reference 152, 155; paragraph 0017, lines 5-7, 15-17) that together correspond to the second connection area claimed, comprise a plurality of connector openings and provide signals for a 64-bit cPCI bus extension (i.e., connectivity to bussed traces). Claim 8 further claims the second connector area includes at least one through connector for facilitating electrical telephony transmissions between a rear card in the first slot and a front card or a rear card in the second slot along the bussed traces. Wachel discloses tip and ring connection via the fifth set of pins that correspond to the second connector area claimed between the transition card that corresponds to the rear card claimed of one plug



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that corresponds to the first slot claimed and the main card that corresponds to the front card claimed of another plug that corresponds to the second slot claimed via the midplane (i.e., along bussed traces) (Fig. 4; paragraph 0020-0021). Therefore, Wachel anticipates all elements of Claim 8.

18. Claim 9 claims the apparatus of Claim 8 wherein the first connector openings are defined in accordance with a P1 connector in a cPCI standard. As stated above apropos of Claim 8, Wachel anticipates all elements of that claim. In addition, Wachel discloses a first set of pins (Fig. 2, reference 151; paragraph 0017, lines 4-5) that corresponds to the first connector openings claimed and provides the signals for (i.e., is defined in accordance with) a 32-bit cPCI bus (i.e., a P1 connector in a cPCI standard). Therefore, Wachel anticipates all elements of Claim 9.

19. Claim 10 claims the apparatus of Claim 8 wherein the second connector openings include power and ground openings arranged in accordance with a cPCI P2 connector. As stated above apropos of Claim 8, Wachel anticipates all elements of that claim. In addition, Wachel discloses a second set of pins (Fig. 2, reference 151; paragraph 0017, lines 5-7) that corresponds to the second connector openings claimed and provides the signal for a 64-bit cPCI bus extension (i.e., a P2 connector in a cPCI standard) that inherently includes power and ground. Therefore, Wachel anticipates all elements of Claim 10.

20. Claim 11 claims the apparatus of Claim 8 wherein the first connector openings include power and ground openings arranged in accordance with a cPCI P1 connector. As stated above apropos of Claim 8, Wachel anticipates all elements of that claim. In addition, Wachel discloses a first set of pins (Fig. 2, reference 151; paragraph 0017, lines 4-5) that corresponds to the first connector openings claimed and provides the signal for a 32-bit cPCI bus (i.e., a P1 connector in

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a cPCI standard) that inherently includes power and ground. Therefore, Wachel anticipates all elements of Claim 11.

21. Claim 12 claims the apparatus of Claim 8 wherein at least one bussed trace includes a control link. As stated above apropos of Claim 8, Wachel anticipates all elements of that claim. In addition, Wachel discloses an Output Enable signal (paragraph 0023, lines 12-14) that corresponds to the control link claimed and is transmitted to a backup card via the midplane that corresponds to the bussed traces claimed to control the backup card. Therefore, Wachel anticipates all elements of Claim 12.

22. Claim 13 claims the apparatus of Claim 12 wherein a front card is in communication with the control link and is configured to for controlling electrical telephony transmissions from a rear card. As stated above apropos of Claim 12, Wachel anticipates all elements of that claim. In addition, Wachel discloses a main card that corresponds to the front card claimed producing an Output Enable signal (paragraph 0023, lines 12-14) that corresponds to the control link claimed (i.e., is in communication with the control link) and causes a rerouting of (i.e., controls) tip and ring signals (i.e., electrical telephony transmissions) from a transition card that corresponds to the rear card claimed. Therefore, Wachel anticipates all elements of Claim 13.

23. Claim 14 claims the apparatus of Claim 8 wherein the electrical telephony transmissions are selected from the group comprising: T1, T3, E1, E3, J1, STS1. As stated above apropos of Claim 8, Wachel anticipates all elements of that claim. In addition, Wachel discloses use of T1 signals (paragraph 0018, lines 1-7). Therefore, Wachel anticipates all elements of Claim 14.

24. Claims 21 through 27 are essentially similar to Claims 8 through 14 respectively and are rejected for the reasons stated above apropos of those claims.

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 703-305-4088. The examiner can normally be reached on Monday through Friday between 8:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forrester Isen can be reached on 703-305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ds  
April 10, 2003

  
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